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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,979	02/16/2001	Gasper Hernandez III	2925-0486P	2813

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HARNESSE, DICKEY & PIERCE, P.L.C.  
P.O. BOX 8910  
RESTON, VA 20195

EXAMINER

ALPHONSE, FRITZ

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 09/07/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/783,979

Applicant(s)

HERNANDEZ, GASPER

Examiner

Fritz Alphonse

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gase (U.S. Pat. No. 6,363,081) in view of Bullough (U.S. Pat. No. 6,282,586).

As to claim 1, Gase teaches about a port-sharing system (20) comprising: a computing resource (22) having a port (UDP 28); a monitoring interface (24) to said computing resource (22) available via said port (28); a plurality of end user devices (30, 32) to be connected to said monitoring interface (24).

Gase does not explicitly disclose a liaison interface to handle communications from a plurality of end user devices and to handle communications from the monitoring interface that correspond to said communications from an end user devices respectively.

However, in the same field of endeavor, Bullough discloses a port-sharing system comprising a single port interface (which corresponds to a liaison interface) with a plurality of hardware device. The device includes an interface, which handles communications from a plurality of end user devices (see figures 2, 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Gase's system with the operating system, as disclosed by

Bullough. Doing so would provide the ability to control multiple port drivers from a single communication port to control all hardware functions of the device (col. 4, lines 39-42).

As to claim 2, the claim differs from claim 1 by the additional limitation "said port is a first port; said liaison interface has a second port"

Gase discloses a system, wherein the port (UDP 28) is a first port.

Gase does not provide a liaison interface comprising a second port. However, Bullough (fig. 2) shows a liaison interface including a second port. See the motivation for the same reason as disclosed in claim 1.

As to claims 3-4, Gase does not disclose a liaison interface.

However, Bullough (figs. 2-3) show a system wherein a single port interface (i.e., a liaison interface) is operable to give each user of one of the plurality of end user devices the impression of being directly connected to a computing resource.

As to claims 5-6, Gase (figs. 1-2) show a system, wherein the monitoring system is operable to retrieve information representing one or more parameters that are indicative of the operational state of the computing resource (col. 4, lines 22-29).

As to claims 7-8, the claims have substantially the limitations of claims 1-2. Therefore, they are analyzed as previously discussed in claims 1-2 above.

As to claims 9 and 23, Gase (figs. 1-2) show a system, wherein said system includes a network (26) that provides access to said port (28) of said computing resource, and wherein said plurality of end user devices (32) is operable as a terminal on said network, and wherein payloads contained in the communications differ substantially (col. 6, lines 44-46).

As to claim 10, the claim differs from claim 1 by the additional limitations "a front input/output ( I/O) unit to communicate with said plurality of end user devices; a back I/O unit to connect to said port of said computing resource". However, the limitation is disclosed by Gase (see figures 1- 2).

As to claim 11, the claim has substantially the limitations of claim 2. Therefore, it is analyzed as previously discussed in claim 1 above.

As to claims 12-15, 24, the claims have substantially the limitations of claims 3-6. Therefore, they are analyzed as previously discussed in claims 4-6 above.

As to claims 16-17, method claims 16-17 correspond to apparatus claims 1-2. Therefore, they are analyzed as previously discussed in claims 1-2 above.

As to claims 18-22, 25 method claims 18-22, 25 correspond to apparatus claims 2-5. Therefore, they are analyzed as previously discussed in claims 2-5 above.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection. The reference or Bullough has been added for new ground of rejection.

### ***Conclusion***

4. Any response to this action should be mailed to:  
Commissioner of Patents and Trademarks, Washington, D.C. 20231  
**or faxed to: (703) 872-9306 for all formal communications.**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Fourth Floor (Receptionist).

Art Unit: 2133

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse, whose telephone number is (703) 308-8534. The examiner can normally be reached on M-F, 8:30-6:00, Alt. Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert De Cady, can be reached at (703) 305-9595.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Fritz Alphonse

Art Unit 2133

September 2, 2004

  
GUY J. LAMARRE  
PRIMARY EXAMINER